

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

SONY ELECTRONICS INC., SONY  
COMPUTER ENTERTAINMENT AMERICA  
INC., SONY PICTURES ENTERTAINMENT  
INC., SONY CONNECT INC., SONY  
ONLINE ENTERTAINMENT INC., SONY  
CORPORATION OF AMERICA, SONY BMG  
MUSIC ENTERTAINMENT INC., AND  
SONY ERICSSON MOBILE  
COMMUNICATIONS (USA) INC.,

C.A. No. 05-255-GMS

Plaintiffs,

v.

ORION IP, LLC,

Defendant.

**ORION IP, LLC'S MOTION TO DISMISS, STAY, OR TRANSFER  
THIS ACTION TO THE EASTERN DISTRICT OF TEXAS**

Defendant Orion IP, LLC (“Orion”) hereby moves this Court to dismiss this action or to stay it in favor of the previously filed action pending in the United States District Court for the Eastern District of Texas, styled *Orion IP, LLC v. Hitachi Koki USA, Ltd. et al.*, Civil Action No. 2:04-CV-418 (Ward). Alternatively, Orion moves to transfer this action to the Eastern District of Texas. The grounds for this motion are stated in Orion’s opening brief which is being filed with this motion.

MORRIS, NICHOLS, ARSHT & TUNNELL



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Orion IP, LLC

June 27, 2005

CERTIFICATE OF SERVICE

I, Donald E. Reid, hereby certify that on this 27<sup>th</sup> day of June, 2005, Orion IP, LLC's Motion To Dismiss, Stay, Or Transfer This Action To The Eastern District Of Texas was served by electronic filing upon the following counsel of record:

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